

proven leader in the telecommunications industry. Along with three other firms, D&E is spearheading the development of a communications network in Hungary.

Since the end of the cold war, we have seen how the opening of new markets in Eastern Europe has affected the political and economic climate across the globe. The strength of our free-market system gave us victory in the cold war, and that same strength will help us to forge new friendships with developing nations by stimulating economic growth both here and abroad.

D&E is the 34th largest telephone company in the United States and serves more than 48,000 customers in northern Lancaster County, PA. It is recognized as a leader in the telecommunications industry due to its use of advanced technology.

D&E has joined three midwestern firms to create a consortium known as the Monor Communications Group [MCG]. The goal of this consortium is to provide modern telecommunications service to the people of Hungary. In May 1994, Hungary's Ministry of Telecommunications signed a concession contract allowing MCG to form a Hungarian-American telephone company named Monor Telefon Tarasag [MTT].

Monor, a suburb of Budapest, was selected as the location for MTT. The Monor region consists of 43 towns with a total population of 225,000 people. There are approximately 78,000 private residences and 5,000 businesses.

MTT is steadily constructing a sophisticated, fiber optic linked, digital telecommunications network. Upon obtaining the MTT territory, there were 12,000 existing telephone lines. By the end of 1995, MTT plans to have 42,000 digital lines in service. A total of 70,000 lines should be in service by the end of 1996. In addition, MTT will provide cable TV as well as other value-added communications services. MTT looks to offer sophisticated technology along with the commitment to quality service that has been a trademark of D&E for more than 83 years.

This type of American ingenuity and forward-thinking should be an example to other American businesses in all industries. The decline of communism has provided a golden opportunity for economic investment, as well as the development of a mutual understanding between our cultures. Mr. Speaker, I invite my colleagues to join with me in saluting the efforts of the Denver and Ephrata Telephone & Telegraph Co.

THE OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT AMENDMENTS OF 1995

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. MINETA. Mr. Speaker, today, I am introducing the Omnibus Transportation Employee Testing Act Amendments of 1995. This bill, if enacted, will allow both the Department of Transportation and transportation employers to focus their efforts and resources on activities that truly enhance safety.

In 1991, Congress enacted legislation that imposed significant new drug and alcohol test-

ing requirements on the transportation sector. The required testing included all modes—mass transit, railroad, trucking, and aviation—and many kinds of testing—preemployment, reasonable suspicion, random, and postaccident. The purpose of the legislation was to improve transportation safety, and the bill contributed to that goal.

However, one part of this bill has been mired in legal problems, and, as a result, simply does not contribute to transportation safety. That is the part of the bill having to do with preemployment testing for alcohol.

The core of the problem is that alcohol consumption by someone not yet employed in the transportation sector is not illegal. The bill attempted to deal with this problem by requiring preemployment testing for alcohol use, in violation of law or Federal regulation. However, this creates an unworkable situation where we require employers to test applicants, knowing that in virtually all instances, the results cannot be put to any purpose.

A recent decision by the court of appeals found that the Department of Transportation's regulations to implement preemployment testing for alcohol were inappropriate and the court vacated those regulations. The Department of Transportation suspended the regulations for preemployment alcohol testing to comply with the court's decision. But, we still have on the books statutory requirement to do something that everyone now acknowledges makes no sense, that is preemployment testing of all applicants for illegal consumption of alcohol.

We need to clean up this absurd situation and get both industry and the Department of Transportation focused on the testing that improves transportation safety. DOT estimates that preemployment alcohol testing of transportation applicants would cost around \$30 million per year. This represents resources and attention that would be far more effective if focused on the testing that does produce safety benefits. We need to focus on the requirements for reasonable suspicion, random, and postaccident testing with respect to alcohol. In the case of illegal drugs, we need to focus on all types of testing, including preemployment.

The bill I am introducing today would rescind the invalidated requirement for preemployment alcohol testing of transportation employees, while making it clear that employers have the option of conducting such tests, if they wish. All other requirements for drug and alcohol testing are retained.

Thus, this bill eliminates a requirement that has proven to be unworkable, in favor of those requirements that have been effective in our ongoing efforts to improve transportation safety. We need to focus both our resources and our regulatory attention on those areas where we can achieve the greatest public safety benefit.

OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT AMENDMENTS OF 1995—SECTION-BY-SECTION ANALYSIS

Section 1: Section 1 establishes a short title for the bill—the "Omnibus Transportation Employee Testing Act Amendments of 1995."

Section 2: Section 2 amends existing language of the Omnibus Transportation Employee Testing Act of 1991 concerning drug and alcohol testing in the mass transit industry. It does not change the current provision of the Act that the regulations requir-

ing testing in that industry provide for preemployment, reasonable suspicion, random, and post-accident drug testing. However, it provides that only three kinds of alcohol testing—reasonable suspicion, random, and post-accident—are required. The bill would eliminate the statutory mandate for preemployment alcohol testing, on the basis that this form of alcohol testing is less necessary than the others in order to have an effective program for deterrence and detection of alcohol misuse. Because alcohol is a legal substance that dissipates from the bloodstream relatively quickly, testing for its presence is most valuable at the time when safety-sensitive functions are performed. By contrast, the drugs for which testing is required are illegal, and their detection even during preemployment testing is important. Preemployment alcohol testing under the Act currently is estimated to cover more than seven million employees and cost about \$30 million annually.

However, many employers may find that conducting preemployment alcohol testing can serve a useful purpose as a way of emphasizing, from the outset of an employee's connection with an employer, the employer's commitment to a substance abuse-free transportation workplace. Employers may also find preemployment alcohol testing helpful to screen out applicants whose use of alcohol is chronic. Such employers may wish to have preemployment alcohol testing as part of their substance abuse prevention programs. For this reason, the amendment provides that employers who choose to require preemployment alcohol testing may do so as part of their program that responds to the Act and Department of Transportation regulations.

Section 3: This section makes parallel changes to the railroad industry testing requirements under the Omnibus Transportation Employee Testing Act of 1991.

Section 4: This section makes parallel changes to the motor carrier industry testing requirements under the Omnibus Transportation Employee Testing Act of 1991.

Section 5: This section makes parallel changes to the aviation industry testing requirements under the Omnibus Transportation Employee Testing Act of 1991, including testing for Federal Aviation Administration employees performing safety-sensitive functions.

Section 6: This section establishes an effective date for the amendments made by the Act.

HONORING DON SCHIRICK AS MINNESOTA KNIGHT OF THE YEAR

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 1995

Mr. PETERSON of Minnesota. Mr. Speaker, I would like to congratulate a good friend of mine, Don Schirick, for being honored as Minnesota's Knight of the Year. It is an honor that is well deserved.

Don joined the Knights of Columbus 7 years ago in Thief River Falls, MN, and 4 years ago, he helped start a council in Red Lake Falls. That council has now grown to 100 members.

Don has always been one of those people who thinks of others before thinking of himself. He has spent much of his time during the past 4 years raising money for the community. Just last year, he worked on an annual marathon, which raised \$7,000 for St. Joseph's School and a Tootsie Roll drive, which raised about \$600 for Northwood Home.